

J A M A I C A.

RETURN to an Address of The Honourable the House of Commons,
dated 25th July 1832 —for

COPY of the MINUTES OF EVIDENCE taken on the TRIAL of *Henry Williams*,
for administering ILLEGAL OATHS during the late INSURRECTION in *Jamaica*.

(In Continuation of Paper No. 101, ordered to be Printed 15 July 1831.)

Colonial Department,
Downing-street,
15 July 1833. }

JOHN LEFEVRE.

DESPATCH from the Earl of *Mulgrave* to Viscount *Goderich*.

MY LORD,

King's House, Jamaica, 24 November 1832.

IN conformity to the instructions conveyed to me in your Lordship's despatch of the 6th of August last, enclosing an extract from an Order of the House of Commons, dated the 25th of July, I have the honour herewith to transmit a copy of the Minutes of Evidence taken in the case of *Henry Williams*, the slave referred to in that Order.

The case in question having occurred during martial law, several months before my arrival in this country, I had no knowledge whatever that any such trial had taken place, but a copy of the proceedings having been forwarded to me in consequence of the directions given on the receipt of your Lordship's despatch, I conceived it only proper, before transmitting them to England, to give an opportunity to the officers of militia who composed the Court-martial, to afford some explanation with regard to the manner in which the trial was conducted, as well as with respect to the punishment inflicted both on the prisoner, *Henry Williams*, and two of the witnesses; a perusal of the proceedings having induced me to believe that there might have been some omission in taking down the evidence at the time, or some error in transcribing the copy transmitted to me.

I accordingly caused a letter to be addressed to the custos of the parish of *St. Ann*, who is also the major-general of militia of the district, and through whom the proceedings had been forwarded to me, directing him to ascertain whether the gentlemen composing the Court were desirous of furnishing any explanation with regard to these points. The enclosed letter from Lieutenant-colonel *Johnston*, the President, as it would appear, of the Court, is in reply to that communication, and I therefore transmit it for your Lordship's information, and in case you may conceive it proper that this document should be attached to the minutes of evidence when they may be laid before the House of Commons.

I have, &c.

(signed)

MULGRAVE.

Dec. 21, 2007

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MINUTES OF EVIDENCE ON THE

LETTER from Lieutenant-colonel *Johnston* to Lieutenant-colonel *Yorke*.

Sir,

Amandah, 21 November 1832.
Moneague P. O.

IN consequence of your communication of the 2d inst. received through Major-general Cox, I beg leave to forward to you, for the information of his Excellency the Governor, the following observations relative to the case of Henry A. Williams and the other slaves to whom your communication refers.

In consequence of official information received from various quarters that nightly meetings of slaves had lately taken place at the house of Henry A. Williams, and Thomas W. Horlock, Esq. having brought down several of his people whom he suspected were concerned in attending such meetings; as Lieutenant-colonel commanding the St. Ann's regiment of militia, part of which was stationed in the Court-house at St. Ann's Bay, I deemed it necessary to inquire into the matter. On the 13th of January I requested Commissary Harker to assist me in taking the examinations of Mr. Horlock's slaves, as will appear by his signature being affixed to those examinations underneath my own; the inquiry taking place in the Peace-office, a room attached to and under the same roof as the Court-house, which was then occupied by the militia. From the evidence adduced, I considered it my duty to send a party of the militia to Rural Retreat plantation, for the purpose of apprehending Henry A. Williams, and bringing him to head-quarters, which was accordingly done. On the 16th of January a Court-martial was convened, by my orders, of the officers on the spot, to try Henry A. Williams for the alleged offence of having held illegal and dangerous meetings at a period of great excitement and alarm. During the sitting of the Court-martial, the whole of the evidence taken on the 13th of January was read in presence of the slaves, who had given their testimony on oath before myself and Commissary Harker, and confirmed by them. It being apparent to the Court that Edward Johnston and Jemmy Jackson had been guilty of gross prevarication in their evidence, a punishment was awarded of 50 lashes each, and committed to hard labour for three months, without any reference whatever to the Slave Law; the Court considering it was necessary to secure all dangerous characters, not seeing at that time any probability of the then existing rebellion being suppressed so shortly afterwards as it fortunately was.

The same Court-martial, without adjournment, on the admission of Henry A. Williams himself, as well as on the testimony of Chelsea Winter and Wm. Ennis Hunter (given on the 13th of January, read to and confirmed by them on the 16th of the same month, before the Court), considering the said Henry A. Williams also a most dangerous person to be at large, and finding him guilty of the alleged offence, sentenced him to receive 39 lashes, and to be confined six months to hard labour, without any reference to the Slave Law.

The circumstance of the name of D. M'Cullum, Esq. appearing present as one of the Court at the passing of the sentence on Henry A. Williams arose from mistake on the part of the person taking down the minutes. Mr. M'Cullum did enter the Peace-office or guard-room during the trial, and took a seat as an auditor for a short time, but no part whatever in the trial or sentence, during the passing of which he was not present, and his name consequently does not appear on the record.

I have, &c.
(signed) *J. Johnston.*

EXAMINATION taken 13 January 1832, before *J. Johnston* and *W. S. Harker*, Esquires.

Edward Johnston, to *J. W. Horlock*; sworn.

DO you know H. Williams?—Yes, I do.

Do you know that he is in the habit of preaching at nights?—I do; he preaches on Wednesdays and Fridays.

How long does he continue to preach?—After supper time, but not long.

Did Henry Williams never tell you that the negroes were to be free?—No.

What does he tell you?—That I must attend to master's duty; not to lie or steal.

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Does he not tell you not to do anything on Sundays?—No.

Were you not at Henry Williams's house on the 4th January, at night?—No; has not been there since after Christmas.

Were not Jemmy Jackson and others to Green Park, and Geddes, at Henry Williams's house, when you were there?—Yes, they were there, and several people.

Did Henry Williams never swear you?—No.

Did he not ask you to swear that you would not leave the chapel?—No, did not swear him, put him down in a book.

How long have you been attending chapel?—About 12 months.

Do you never pay Henry Williams any money?—No, he teaches us for nothing; never pay him.

EXAMINATION of *Chelsea Winter*, to *J. W. Horlock*; sworn.

ARE you not in the habit of going to Henry Williams's?—Yes, I go there after I leave the field on Wednesdays and Fridays, after supper time.

What does Henry Williams preach to you?—That we must submit to master.

Does Henry Williams never swear you?—No.

Did he not tell you to stick to him, and not forsake him or his chapel?—I did not kiss a book, but promised.

Does he never tell the negroes anything about the rebellion?—No, never know until master read it to him.

Do the negroes not talk to each other about the rebellion?—No, never hear them.

Did you not see Edward Johnston at Henry Williams's house on the 4th January?—Yes, I did see him and several others.

EXAMINATION of *William Francis*, to *J. W. Horlock*; sworn.

ARE you not in the habit of going to Henry Williams's house, and at what time?—Yes, I do on Wednesdays and Fridays, about eight o'clock at night.

How long do you stay there?—Not till quite cock-crow; hear cock-crow when he goes home.

What do you do there?—Henry Williams preaches to us out of a book to obey master.

Does Henry Williams never make you take swear?—No, Mr. Whitehouse swear me into the chapel.

Do you never pay Henry Williams?—No, never pay him anything.

What does he give you; does he never give you supper?—Yes, to those that want it; is in Henry Williams's class.

Does Henry Williams never make you pay him for supper?—No.

Has he never told you anything of the rebellion?—No.

Did he not send his son to stop you from going to him, at his house?—Yes.

Where do the negroes come from that attend Henry Williams?—From Geddes, Thickets; and house full sometimes.

Who were there on the 4th instant?—Edward Johnston, Chelsea, and myself, from Green Park.

Do you never stop on the road on your return from Henry Williams, and have prayers at any other place?—No.

What do the negroes at Green Park say of the rebellion?—Never hear them say anything at all.

Did you never see any strange negroes from Trelawny, at Henry Williams's house?—No, never; nor never heard anybody say that negroes were to be freed at Christmas.

Edward Johnston; recalled.

WHAT have you heard the negroes say of the rebellion, and where?—Heard say that all the praying souls at leeward rise; but not able to do so here, and don't expect it.

What do the negroes say of the rebellion?—Nothing; only hear the negroes rise.

Did you never hear that Richard Clark is a preacher?—Yes; he preaches when Mr. Whitehouse is at the chapel.

William Ennis Hunter, to J. W. Horlock ; sworn.

DO you know Henry Atkinson Williams at Rural Retreat, and that he preaches at his house at night?—Yes, I do know him, and that he preaches.

How long do you stop there?—Sometimes late ; sometimes I stop till midnight.

What do you do there?—Sing psalms, and Henry Williams preaches to us.

When last were you there?—About two weeks ; was there on 4th instant, Jemmy Jackson, Ned Johnston, Chelsea to Green Park, and several others ; can't remember all their names.

What do the negroes say about the rebellion?—Heard them talk of it ; heard it before his master told him, the negroes say they are sorry of it.

Have you not heard some of the negroes wish success to the rebels?—No, never heard them.

Did you not see some strange negroes at Henry Williams's?—No, never saw any.

When last were you at Ebenezer Chapel?—On Monday, in Christmas.

Have you not heard that Richard Clark is a preacher?—Yes, have heard so, and heard him preach at Ebenezer Chapel about two or three weeks before Christmas, in the daytime.

Were you at Carton the night before New Year's-day, and see Thomas Rodney and Aaron Bovy preach to the negroes there?—Yes, I did, and heard him preach.

(signed) *J. Johnston.*
W. S. Harker.

Peace-office, St. Ann's.

EXAMINATION taken 16 January 1832, before Lieut.-colonel *James Johnston*, Captain *James Walker*, *Benjamin S. Moncrieffe*, Ensign *John W. Davis*, Captain *J. Turner*, and Ensign *W. L. McCook*.

Jemmy Jackson, to Green Park ; sworn.

DO you know Henry Atkinson Williams?—Yes, I do ; he is driver on Rural Retreat.

Are you in the habit of going to H. A. Williams's house, and at what time?—Yes, I am in the habit ; on Wednesdays and Fridays I go.

What are you in the habit of doing there?—Praying and singing.

When do you begin to preach and pray?—About eight o'clock, but don't stop long.

Do you always see much people at Henry Williams's house?—Sometimes a plenty, sometimes not much.

How long do you stay there?—Sometimes cock-crow when I get home.

What does he preach to you?—He preaches out of a book about Jesus Christ, and that we must not steal or tell lies.

Does he never tell you this is a land of oppression, misery and cruelty?—No.

Does Henry Williams never preach to you anything of Faith?—No. Mr. Whitehouse preaches to us to be faithful to our master.

What master does he allude to?—Jesus Christ.

Did Henry Williams never make you and the other negroes swear that you would be faithful to him, and not leave him?—No. Mr. Whitehouse make them swear at the chapel, and tell them that if they leave the chapel, they must die.

How did he swear them?—Put them down in a book.

How long have you been attending the chapel?—About two months.

What do you pay Mr. Whitehouse for?—For tickets.

What use does he say they will be to you?—That he may know us, and that they will be of use when we die.

Did Mr. Whitehouse never tell you that you ought to be free?—No.

Did you not go to chapel on Christmas-day?—I went on Monday, it was my day.

Did Henry Williams never make you swear that you would be true to one another?—No. Mr. Whitehouse made us swear that we must all be true to one another.

Did Henry Williams never tell you not to work on Sundays?—No. Mr. Whitehouse

Whitehouse told us so; that we must come to chapel on Sundays, and not to work.

Do you, on your oath, deny that Henry Williams swore you?—He made me swear, and read out of a book, and we knelt down.

Do you never pay Henry A. Williams any money?—Yes, pay him for lights; when we have none to carry, we give him money to buy candles.

What does Henry A. Williams say to you all the time you are there?—He takes a book and reads and preaches to us, but I don't understand him, I can't catch his words.

When did you last see Henry Williams?—I don't see him for two months before Christmas.

Does Henry A. Williams never make you kiss a book?—No.

Did Henry A. Williams not tell you to stick to him, and not to forsake him?—Yes.

Where were you on Monday night, 2d inst.; were you not at a preaching at Carton?—No, I never went there; was at home at Green Park.

When were you at H. A. Williams's last?—In Christmas.

What did he say about the rebellion to you?—Nothing; never heard it till his return from St. Mary.

Did you not hear what Mr. Grignon's servant said at Green Park about St. James?—No; was watchman, and did not go to the great house.

Do you know Edward Johnston, and did you not see him at Henry Williams's house on the 4th instant?—Yes; I did see him.

Did not Henry Williams on the night (the 4th instant) tell you that the negroes had rebelled to leeward?—No.

Did you not hear the negroes of Green Park speak of the rebellion?—Nothing; never heard them say anything; never had any conversation with any of them.

Who were at Henry Williams's when you went there on the 4th instant?—Chelsea, Edward Johnston and several others, from Green Park.

Are you a married man, and by whose permission?—Yes; Mr. Whitehouse married me, but I didn't tell my master.

What have you done with your tickets?—Dug a hole in the ground of my house, and buried them behind a box, since this affair.

What's your wife's name?—Jessy Jackson; she belongs to mistress, but mistress does not know.

Do you know Sarah Atkinson, and do you ever go to her house?—Yes, I know her; and always see her when I go to H. A. Williams's house.

How long have you been married?—Three months.

Why did you marry?—Mr. Whitehouse told us, if we marry, nobody can take away our wives.

Did you not state, in presence of the negroes at Green Park, that you would not forsake your chapel if you saw a file of soldiers before you?—Yes, I did say so; I down on my knees and took an oath to the chapel not to forsake it.

When you heard of this rebellion, was it then that you hid your papers?—Yes.

How much did you pay for your tickets?—Tenpence.

Do you know Richard Clark, and that he is a preacher?—Yes; he preaches at Ebenezer Chapel, on Sundays.

The Court came to a determination, in consequence of the prevarication in giving evidence against Henry Atkinson Williams, of Edward Johnston and Jemmy Jackson, that the said slaves belonging to Green Park do receive 50 lashes each, on the bare back, with a cat-o'-nine-tails, and be committed for hard labour to the workhouse for three months.

(signed)

J. Johnston, Lieut.-colonel.

J. Walker, Captain.

J. Turner, Captain.

W. L. McCook, Ensign.

John W. Davis, Ensign.

Guard-room, St. Ann's Bay,
16 January 1832.

Present:—Lieut.-colonel J. Johnston, Benj. S. Moncrieffe, Esq., Capt. J. Walker, Ensign W. L. M'Cook, Capt. J. Turner, Ensign J. W. Davis, D. M'Cullum, Esq.

Henry Williams, to Rural Retreat plantation, charged with holding nightly meetings of slaves of an evil tendency, at his house, on said property.

Plea—Not guilty.

Acknowledges he holds nightly meetings at his house to slaves from the neighbouring properties.

Sentence—That the said Henry Williams do receive 39 lashes with a cat-o'-nine-tails on the bare back, and be committed to the workhouse to hard labour for six months.

(signed) *J. Johnston*, Lieut.-colonel.
J. Walker, Captain.
J. Turner, Captain.
W. L. M'Cook, Ensign.
John W. Davis, Ensign.

I certify the within to be a fair copy.

(signed) *Duncan M'Cullum*,
Deputy Judge Advocate, St. Ann's Regiment.

DESPATCH from Lord Viscount *Goderich* to the Earl of *Mulgrave*.

My Lord,

Downing-street, 20 February 1833.

I HAVE received your Lordship's despatch, dated the 24th of November last, containing a copy of the proceedings against a slave named Henry Williams, before a court-martial held at St. Ann's, Jamaica, on the 16th of January 1832.

From these documents, it is evident that Henry Williams was in the habit of holding nightly meetings at his house for religious worship. There is not, however, any proof that those meetings were held with any bad design, or conducted in any improper manner. On the contrary, the witnesses unanimously represent Henry Williams as having always inculcated on them submission and obedience to their masters, and the practice of truth and honesty. I apprehend, however, that innocent or praiseworthy as may have been the labours of Henry Williams amongst his fellow slaves, they were not, on that account, the less a violation of the law of Jamaica; and if the proceedings had taken place under that law, the only ground of objection would have been the extreme severity of the punishment. As however, the inquiry and the subsequent sentence were professedly intended only to secure the public peace, and were regulated by no other rule than the opinion entertained by the military court as to the best means of effecting that object, I can find no apology for their decision. At the moment when the insurrection was coming to a close, they directed the severe whipping and the imprisonment for six months of a head man of one of the estates, who had taken the best means in his power to arrest the progress of the insurgents; and they punished in the same manner, on a charge of prevarication, two of his associates who had given evidence in his favour, although, as far as I can discover, there is nothing else to convict them of falsehood than that the testimony of one or two of the other witnesses was less favourable to the prisoner than theirs, and in some respects opposed to it.

In making this communication I have no specific instructions to convey to your Lordship. In this, as in many other cases, the distance which separates me from the immediate scene of action, renders it impossible for me to interfere, with effect, for the redress of injustice, or even for the purpose of censuring persons in authority by whom injustice may have been committed. The unavoidable lapse of time will have consigned the case of Henry Williams to oblivion long before this despatch can reach Jamaica, and I am well aware that a very tardy interposition, in such cases, loses nearly all its salutary effect, while it exposes the Government to a degree of unpopularity against which, in your Lordship's situation, it would be impossible to contend with success. I must satisfy myself, therefore, with thus recording

recording my total disapprobation of the conduct pursued towards Henry Williams and his associates. Remote as the transaction is, and apparently destitute of any practical good as this declaration of my opinion may be, when thus addressed only to yourself, I yet cannot think it wholly immaterial to state in our official correspondence, the conclusion which a review of the subject has led me to adopt. I should regret that any person under whose perusal that correspondence might come, should suppose me to have read such a case with indifference, or to have remained inactive, except from the conviction that I could not act with any reasonable prospect of advantage. It may, however, not be unimportant to have noticed the case, in order to found upon it the remark that the magistrates and officers who concurred in the sentences, are not persons who should be advanced in the magistracy, or in the militia, unless unhappily no person should offer for such advancement bearing a more unimpeached character for discretion and humanity in his judicial conduct towards the slave population.

I have, &c.

(signed) GODERICH.

J A M A I C A.

RETURN to an Address of The Honourable the House of
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in *Jamaica*.

(In continuation of Paper No. 101, ordered to be Printed
15 July 1831.)

(*Mr. Fowell Buxton.*)

Ordered, by The House of Commons, to be Printed,
18 July 1833.
